

1 answer and for leave to file their answer (#64). The motion has
2 been opposed by plaintiffs (#67). The Union defendants have
3 replied (#70).

4 Defaults are generally disfavored, and cases "should, whenever
5 possible, be decided on the merits." *TCI Group Life Ins. Plan v.*
6 *Knoebber*, 244 F.3d 691, 696 (9th Cir. 2001). Because the Union
7 defendants have appeared in and are actively litigating this
8 action, default is not proper at this time. Accordingly, the
9 plaintiffs' motion for entry of default (#63) is **DENIED**.

10 The court further finds good cause to grant the Union
11 defendants leave to file their untimely answer to the amended
12 complaint, particularly given that the Union defendants had already
13 answered the plaintiff's original complaint, and the amended
14 complaint was not filed in response to any motion made by the Union
15 defendants. The Union defendants' motion for an enlargement of
16 time and for leave to file an answer, instanter (#64) is therefore
17 **GRANTED**.

18 IT IS SO ORDERED.

19 DATED: This 1st day of April, 2014.

20 
21 UNITED STATES DISTRICT JUDGE